Remarks

Applicant respectfully requests reconsideration of this application as amended. In the Claims, claim 70 has been amended as requested by the Patent Office "second value_used" has been amended to "second value used." In addition, claim 70 has been amended from "first_value used" to "first value used." Claims 48-76 are present for examination.

35 U.S.C. §102 Rejection

Claims 48-76 stand rejected under 35 U.S.C. §102(b) as being anticipated by Incardona et al. (EP 274045 A1). Applicant submits that the present claims are patentable over Incardona.

Incardona discloses an electronic odometer provided with a non-volatile, non-programmable memory (for example of PROM type) for the more significant digits, and a volatile memory (for example of RAM type) for the less significant digits (Incardona, abstract).

Applicant claims "*controlling updates to the first value for the first counter and to the second value for the second counter, the first and second values used to generate a monotonic count.*" Incardona fails to disclose or suggest such a limit. Therefore, the present claims are patentable over Incardona.

For example, independent claim 48 recites "*maintaining a first value for a first counter based on a content of a volatile memory; maintaining a second value for a second counter based on a content of a non-volatile memory and controlling updates to the first value for the first counter and to the second value for the second counter, the first and second values used to generate a monotonic count.*" As described above, Incardona discloses a

volatile and non-volatile counter. However, there is no disclosure in <u>Incardona</u> of using the counters to generate a monotonic count. Therefore, claim 48 is patentable over <u>Incardona</u>.

Claims 49-53 depend from claim 48 and include additional limitations. Therefore, claims 49-53 are also patentable over <u>Incardona.</u>

Independent claim 54 recites "*updating the count value for the **monotonic counter** by utilizing contents of the volatile memory for lesser significant bits of the count value and contents of the non-volatile memory for higher significant bits of the count value.*" As described above, <u>Incardona</u> discloses a volatile and non-volatile counter. However, there is no disclosure in <u>Incardona</u> of using the counters to generate a monotonic count. Therefore, claim 54 is patentable over <u>Incardona</u>.

Claim 55 depends from claim 54 and includes additional limitations. Therefore, claim 55 is also patentable over <u>Incardona</u>.

Independent claim 56 recites "*updating the count value for the **monotonic counter** on the powering on condition by utilizing contents of the volatile memory for lesser significant bits of the count value and contents of the non-volatile memory for higher significant bits of the count value.*" Therefore for the reasons with respect to claim 54, claim 56 is patentable over <u>Incardona</u>.

Claim 57 depends from claim 56 and includes additional limitations. Therefore, claim 57 is also patentable over <u>Incardona</u>.

Independent claim 58 recites "*control logic to control updating the first and second values to control a **monotonic count** utilizing contents of the volatile memory for lesser*

significant bits of the count value and contents of the non-volatile memory for higher significant bits of the count value." Therefore for the reasons with respect to claim 54, claim 58 is patentable over Incardona.

Claims 59-63 depend from claim 58 and include additional limitations. Therefore, claims 59-63 are also patentable over Incardona.

Independent claim 64 recites "*circuitry to maintain a count value for a **monotonic counter**, the circuitry to base the count value at least partially on the first value for lesser significant bits of the count value and the second value for higher significant bits of the count value, and to update the count value by a number in response to a read of the count value for the **monotonic counter**.*" Therefore for the reasons with respect to claim 54, claim 64 is patentable over Incardona.

Claims 65 and 66 depend from claim 64 and include additional limitations. Therefore, claims 65 and 66 are also patentable over Incardona.

Independent claim 67 recites "*circuitry to maintain a count value for a **monotonic counter**, the circuitry to base the count value at least partially on the first value for lesser significant bits of the count value and the second value for higher significant bits of the count value, and to update the count value by a number in response to a powering on condition for the circuitry.*" Therefore for the reasons with respect to claim 54, claim 67 is patentable over Incardona.

Claim 68 and 69 depend from claim 67 and include additional limitations. Therefore, claims 68 and 69 are also patentable over Incardona.

Independent claim 70 recites *"the first value used to determine lower significant bits of the monotonic count and the second value used to determine higher significant bits of the monotonic count, the lesser significant bits being volatile while higher significant bits being non-volatile."* Therefore for the reasons with respect to claim 54, claim 70 is patentable over Incardona.

Claim 71 and 72 depend from claim 70 and include additional limitations. Therefore, claims 71 and 72 are also patentable over Incardona.

Independent claim 73 recites *"control logic to control updating the first and second values to control a monotonic count, the volatile counter to generate lesser significant bits of the monotonic count and the non-volatile counter to generate higher significant bits of the monotonic count."* Therefore for the reasons with respect to claim 54, claim 73 is patentable over Incardona.

Claim 74-76 depend from claim 73 and include additional limitations. Therefore, claims 74-76 are also patentable over Incardona.

Applicant respectfully submits that the rejections have been overcome by the remarks, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Respectfully submitted,

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